

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

**MOTION HEARING**

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Mildred Baldwin and Ronald Struckhoff, on  
behalf of themselves and others similarly  
situated,

Plaintiffs,

v.

Miracle-Ear, Inc.,

Defendant/  
Third-Party Plaintiff/  
Cross Claimant,

v.

HearingPro, Inc.,

Defendant/  
Third-Party Defendant/  
Cross Defendant,

and Tiffany Davis,

Defendant/  
Third-Party Defendant.

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**COURT MINUTES**  
BEFORE: Hildy Bowbeer  
U.S. Magistrate Judge

Case No.: 20-cv-1502 (JRT/HB)  
Date: December 2, 2021  
Location: Via ZoomGov  
Court Reporter: Tim Willette  
Time: 1:31 pm – 2:17 pm  
2:27 pm – 2:41 pm  
(1 hour)

**APPEARANCES:**

For Plaintiffs: Raina Borrelli, Samuel Strauss, Anthony Stauber  
For Defendant Miracle-Ear, Inc.: Erin McCann, Nathan Brenneman  
For Defendants HearingPro, Inc. and Tiffany Davis: Jennifer Olson, Lawren Zann  
Also present: Sarah Gorsuch (in-house counsel for Miracle-Ear)

**PROCEEDINGS:**

The Court held a hearing on Plaintiffs' Motion to Reopen Limited Discovery [ECF No. 132]. For the reasons stated fully on the record, the Court granted the motion as follows:

1. Plaintiffs' Motion to Reopen Limited Discovery is **GRANTED** to the extent necessary to permit Plaintiffs to seek:
  - a. The documents requested in Plaintiffs' August 23, 2021, subpoena to National Repair;
  - b. A deposition of National Repair;
  - c. Documents and a deposition through subpoena served on Landfall Data LLC ("Landfall").
2. Plaintiffs must serve the subpoena on Landfall, copying all counsel of record, as soon as possible.
3. Plaintiffs must do everything in their power to complete the above discovery by January 31, 2022.
4. Regardless of whether the above discovery is completed by January 31, 2022, all other provisions and deadlines set forth in the Pretrial Scheduling Order (ECF No. 61), as amended (ECF Nos. 110, 131), including but not limited to the deadlines pertaining to class certification motion practice, shall remain in full force and effect.

The record of the hearing will stand as the Court's decision on the motion. No written order will be issued.

The Court also provided to the parties on the record during the hearing the reasoning underlying the Court's earlier text-only order [ECF No. 131] granting Plaintiffs' Motion to Modify Scheduling Order and to Compel Production of Rule 30(B)(6) Depositions and Supplemental Production by Defendant HearingPro, Inc [ECF No. 111]. No written order will be issued.

s/ NEH  
Judicial Law Clerk